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1615

Atty. Dkt. No. 036481-0127

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Barbara Horsey O'CONNOR et al.

Title: Hydrogel Particle Formulation

Appl. No.: 09/922,218

Filing Date: 8/3/2001

Examiner: Rachel M. Bennett

Art Unit: 1615

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals from the decision of the final rejection dated January 26, 2004, of the Examiner finally rejecting Claims 64-71 and 81-87.

Applicant claims small entity status.

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Notice of Appeal Fee

To be paid as detailed below

Not required (Fee paid in prior appeal)

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330.00 0P

The required fees are calculated below:

|       |  |                 |
|-------|--|-----------------|
| [ X ] | Notice of Appeal Fee                             | \$330.00        |
| [ ]   | Extension month:                                 | \$0.00          |
| [ ]   | Extension:                                       | \$0.00          |
|       | FEE TOTAL:                                       | <u>\$330.00</u> |
| [ ]   | Small Entity Fees Apply (subtract 1/2 of above): | \$0.00          |
|       | TOTAL FEE:                                       | <u>\$330.00</u> |

[ X ] A check in the amount of \$330.00 is enclosed.

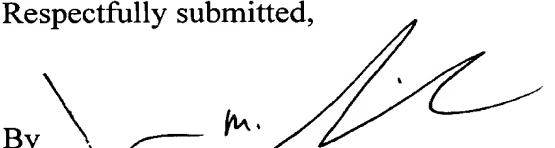
[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 26 Apr. 1 2004

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By   
for Richard C. Peet  
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